



702 H Street, NW, Suite 300, Washington, DC 20001
Tel: 202-462-1177 • Fax: 202-462-4507

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
Phone: (202) 566-1667

November 12, 2015

Dear FOIA Officer:

In accordance with the Freedom of Information Act (FOIA), 5 USC Sec. 552, Greenpeace requests a copy of each of the following documents, or access to them for inspection or duplication, which are in the possession of or generated by the US Environmental Protection Agency:

- Details of all internal communications and communications with BP and/or the unified command regarding Personal Protective Equipment, Respirators, Industrial Hygiene, Environmental Health and Safety, Air Monitoring and Testing.

We request that you search the above records for the time period of April 20, 2010 to January 20, 2011.

FEE CATEGORY

Greenpeace seeks the above listed records for noncommercial use as a representative of the news media. Greenpeace qualifies as a news media organization under the definition provided by Congress in the OPEN Government Act because it “gathers information of potential interest to a large segment of the public, and uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.”

Specifically, Greenpeace is seeking this FOIA request because the information in it is of interest to a large portion of the public, including the many concerned citizens that regularly acquire information through our extensive range of publications. These publications include websites, blogs, newsletters, reports, press statements, social media networks such as Facebook, Twitter, and Flickr, videos, presentations and demonstrations at various venues. In addition, Greenpeace reaches out to many traditional news media outlets that regularly broadcast our publications through television, radio, print and electronic articles and interviews. Greenpeace plans to compile the information from this request into a distinct, original work that will be released to the public through the publications listed above.

FEE WAIVER

Greenpeace seeks a waiver of fees accompanying fulfillment and processing of this FOIA request.

In the paragraphs below, Greenpeace addresses the 6 factors that are used to determine whether the fee waiver requirements are met.

- 1) Greenpeace is requesting United States Environmental Protection Agency documents specifically concerning the details of all internal communications and communications with BP and/or the unified command regarding Personal Protective Equipment, Respirators, Industrial Hygiene, Environmental Health and Safety, Air Monitoring and Testing.
- 2) Greenpeace has not found any publicly available information that describes the internal communications and communications with BP and/or the unified command regarding Personal Protective Equipment, Respirators, Industrial Hygiene, Environmental Health and Safety, Air Monitoring and Testing.

- 3) Greenpeace employs an array of analysts, researchers and environmental specialists that have expertise in environmental activities and policies and their potential impacts on people and ecosystems. For nearly 40 years, concerned citizens have trusted this expertise and relied on Greenpeace to serve as a government watchdog, exposing activities that may be harmful to the environment, as well as activities that are beneficial.

Per our tradition, Greenpeace would compile the information provided through this FOIA request into a distinct, original work that includes our perspective on how the disclosed activities may result in environmental impacts. We would disseminate this work to the public through a wide range of media. We would also reach out to many traditional news media outlets that regularly broadcast our publications through television, radio, print and electronic articles and interviews.

- 4) As noted in #2, internal communications and communications with BP and/or the unified command regarding Personal Protective Equipment, Respirators, Industrial Hygiene, Environmental Health and Safety, Air Monitoring and Testing. Greenpeace believes the public is uncertain and increasingly concerned about these topics. Fulfillment of this request would shed light on these interactions.
- 5) Greenpeace is a non-profit public interest organization that seeks solutions to environmental dilemmas and promotes open, informed debate about society's environmental choices. Greenpeace's primary activities are bearing witness to environmental destruction, using direct confrontations to raise the level and quality of public debate, and exposing threats to the environment and finding solutions. Greenpeace maintains complete financial independence from political and commercial interests. We do not intend to make a profit from the information provided through this FOIA request.
- 6) Greenpeace has no commercial interest in this material and does not intend to disclose the information to data brokers or others who compile and market government information for economic return. Whereas our work generates income from concerned individual donors, this income serves to perpetuate our activities and not to provide a profit to individuals associated with Greenpeace. With such limited or non-existent commercial interest, it is clear that the public interest in disclosure is far greater in magnitude than Greenpeace's commercial interest.

In as much as Greenpeace is making this request in the course of carrying out its public education and nonprofit activities, we request that charge for duplicating be waived.

If you deny all or any part of this request, please cite each specific exemption that you believe justifies your withholding of information. Please be sure to notify me of appeal procedures available under the law in the event of any denial.

Please contact me with any questions regarding this request at (210) 837-3912 or jesse.coleman@greenpeace.org.

Thank you,

Jesse Coleman
Research Specialist
Greenpeace USA
702 H St NW, Suite 300
attn.: Research Department
Washington, DC 20001